

WSGR Wilson Sonsini Goodrich & Rosati
PROFESSIONAL CORPORATION

RECEIVED
CENTRAL FAX CENTER

APR 08 2005

Date: April 8, 2005

To: Commissioner for Patents

Fax: 703-872-9306

☒ Use this fax
number only

Company: U.S. Patent and Trademark Office

Phone:

☐ Notify recipient
before sending

From: Queenie B. Ngo

Phone: 650-493-9300

Return Fax: 650-493-6811

Original: ☐ To follow via mail ☐ To follow via courier ☐ To follow via email ☒ Original will not follow

Fax Contains: 6 pages (including this sheet). If incomplete, call 650-320-6914.

Patent Application Number	09/841,426
Filing Date	April 24, 2001
First Named Inventor	Jonathan W. Nyce
Art Unit	1617
Examiner Name	Shaojia A. Jiang
Attorney Docket Number	30775-701.501

Attached to this cover sheet are the following documents submitted in the above-identified patent application:

1. Transmittal Form (PTO/SB/21);
2. Petition for Extension of Time (one original and one copy);
3. Copy of return receipt postcard dated April 7, 2005 and Express Mail label; and
4. Copy of Transmittal Form dated April 7, 2005 transmitting response to office action dated December 16, 2004.

Ref: 30775-701.501

Return Original to: Queenie B. Ngo

Location: FH 1-2-P11

650 Page Mill Road, Palo Alto, CA 94304-1050 • 650.493.9300 Tel • 650.493.6811 Fax • www.wsgr.com

This fax may contain confidential and privileged material for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited.
If you are not the intended recipient please contact the sender and destroy all copies.

Entire Transmission Copyright © 2003 Wilson Sonsini Goodrich & Rosati. All Rights Reserved.

2832500 1 0000 0121

APR 08 2005

PTO/SB/21 (02-04)

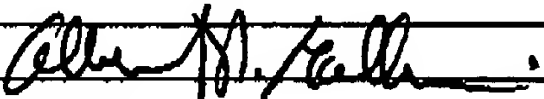
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

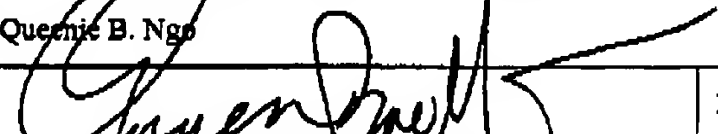
TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/841,426
		Filing Date	April 24, 2001
		First Named Inventor	Jonathan W. Nyce
		Art Unit	1617
		Examiner Name	Shaojia A. Jiang
Total Number of Pages in This Submission	5	Attorney Docket Number	30775-701.501

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter Other Enclosure(s) (please identify below): Copy of return receipt postcard dated April 7, 2005, copy of Express Mail label, and copy transmittal form dated April 7, 2005 for amendment and response to office action dated December 16, 2004 and terminal disclaimer
Remarks Please be advised that a response to an office action dated December 16, 2004 was filed on April 7, 2005. At the time of filing, we inadvertently neglected to include a Petition for Extension of Time. We are herewith transmitting a Petition for Extension of Time in connection with the response to office action that we filed on April 7, 2005.		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	Albert P. Halluin, Reg. No. 25,227, WILSON SONSINI GOODRICH & ROSATI		
Signature			
Date	April 8, 2005		

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Queenie B. Ngo		
Signature		Date	April 8, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or

Apr. 8. 2005 4:29PM JON. F. WILSON SONSINI H AN EPIANDROSTERONE OR A UBIQUINONE No. 5434 HEIL P. 5 FOR
TREATMENT OF ASTHMA SYMPTOMS & FOR REDUCING ADENOSINE/ADENOSINE RECEPTOR LEVELS

Inventors/Applicant: Jonathan W. Nyce		
Application Serial No: 09/841,426		Filing Date: April 24, 2001
Type of Application: <input type="checkbox"/> Provisional <input type="checkbox"/> Original <input type="checkbox"/> CIP <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> PCT		
<input type="checkbox"/> Transmittal of Patent Application <input type="checkbox"/> Specification and Abstract _____ pages <input type="checkbox"/> Claim _____ pages <input type="checkbox"/> Drawings _____ pages <input type="checkbox"/> Missing Parts of Application Transmittal <input type="checkbox"/> Declaration/Oath <input type="checkbox"/> Decl./Power of Atty <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Pwr of Atty by Assignee <input type="checkbox"/> Assignment/Form PTO-1595 <input type="checkbox"/> PCT International Appln Request Form _____ pages <input type="checkbox"/> PCT Transmittal _____ pages <input type="checkbox"/> Specification _____ pages <input type="checkbox"/> Claims _____ pages <input type="checkbox"/> Drawings _____ pages	<input checked="" type="checkbox"/> Fee Authorized <input checked="" type="checkbox"/> Terminal Disclaimer \$65.00 <input type="checkbox"/> Claims in excess \$ <input checked="" type="checkbox"/> Transmittal <input checked="" type="checkbox"/> Amendment/Response <input checked="" type="checkbox"/> Copy of Declaration Pursuant to 37 CFR 1.132 for Serial No. 10/072,010 <input checked="" type="checkbox"/> Curriculum Vitae - Cynthia Brouse Robinson MD (APPENDIX A) <input checked="" type="checkbox"/> Respiratory and Critical Care Medicine (APPENDIX B) <input checked="" type="checkbox"/> (1) Terminal Disclaimer (for US Patent 5,527,789)	<input type="checkbox"/> Extension of Time fee \$ <input type="checkbox"/> RCE fee \$ <input type="checkbox"/> Issue fee/adv order \$ <input type="checkbox"/> Other fee () \$ <input type="checkbox"/> Chapter II Demand/Fee Sheet <input type="checkbox"/> Response-Invitation to Correct <input type="checkbox"/> Article 19 Amendment <input type="checkbox"/> Article 34 Amendment <input type="checkbox"/> Response to Written Opinion
<input checked="" type="checkbox"/> Express Mail Certificate No: EV 518896198 US <input type="checkbox"/> First Class Mail <input checked="" type="checkbox"/> Authorization to Charge Deposit Account No. 23-2415		<input type="checkbox"/> Other: _____
Attorney Docket No. 30775-701.501 Attorney: Albert Halluin Manager: 2632017v1		Date Mailed: April 7, 2005

Please Stamp and Return this Postcard to Confirm Receipt of the Above



EV 518896198 US

Mailing Label
Label 11-F June 2002



UNITED STATES POSTAL SERVICE®

Post Office To Addressee

ORIGIN (POSTAL USE ONLY)				DELIVERY (POSTAL USE ONLY)					
ZIP Code		Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second <input type="checkbox"/>		Delivery Attempt		Time <input type="checkbox"/> AM <input type="checkbox"/> PM		Employee Signature	
to In		Postage		Mo. Day		Time <input type="checkbox"/> AM <input type="checkbox"/> PM		Employee Signature	
to In		Return Receipt Fee		Mo. Day		Time <input type="checkbox"/> AM <input type="checkbox"/> PM		Employee Signature	
AM <input type="checkbox"/> PM <input type="checkbox"/>		Int'l Alpha Country Code		Mo. Day		Time <input type="checkbox"/> AM <input type="checkbox"/> PM		Employee Signature	
Int'l Alpha Country Code		COD Fee Insurance Fee		NO DELIVERY: <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday					
Delivery		Acceptance Clerk Initials		Federal Agency Acct. No. or Postal Service Acct. No.					
Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>		Total Postage & Fee							
TOTAL USE ONLY 100 OF PAYMENT		\$							
US Mail Corporate Acct. No.		X940537 33							

FROM: (PLEASE PRINT) 650 493 9380
WILSON, SONSINI
WOODRICH & ROSATI
50 PAGE MILL RD
ALB ALTO CA 94304-1001

30775-701.501

AL HALLUIN

TO: (PLEASE PRINT) PHONE
COMMISSIONER OF PATENTS
PO BOX 1450
ALEXANDRIA VA 22313-1450

MAILSTOP: AMENOMENT

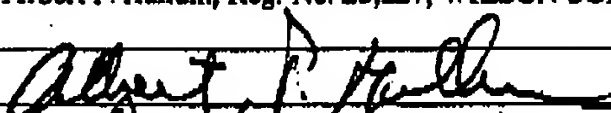
ESS HARD.
are making 3 copies. FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com

COPY TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/841,426
	Filing Date	April 24, 2001
	First Named Inventor	Jonathan W. Nyce
	Art Unit	1617
	Examiner Name	Shaojia A. Jiang
Total Number of Pages in This Submission	Attorney Docket Number	30775-701.501

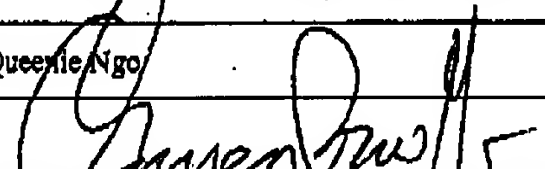
ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> Copy of Declaration Pursuant to 37 CFR 1.132 of Serial No. 10/072,010	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Curriculum Vitae - Cynthia Brouse Robinson MD - APPENDIX A	<input checked="" type="checkbox"/> (1) Terminal Disclaimer (for US Patent 5,527,789)	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input checked="" type="checkbox"/> Respiratory and Critical Care Medicine - APPENDIX B	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Information Disclosure Statement	Remarks	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	Albert P. Halluin, Reg. No. 25,227, WILSON SONSINI GOODRICH & ROSATI		
Signature			
Date	April 7, 2005		

CERTIFICATE OF TRANSMISSION/EXPRESS MAIL

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as Express Mail No. EV51777491308 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Queenie Ngo		
Signature		Date	April 7, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.